

Local Agency Formation Commission
Of Modoc County
Regular Meeting

Minutes of February 10, 2009

1. Call to Order:

Chairman Dederick called the meeting to order at 5:04 pm, in the City Council Chambers, Alturas City Hall. Commissioners Schreiber, Dederick, Neer, Bradshaw and Macsay were present. Commissioner Alternate Public Member Jerry Shea was also present.

Absent: Commissioner Alternate Nelson

Staff Present: John Benoit, Executive Officer and Stephanie Roddy, Interim Clerk

Pledge of Allegiance

2. Approval of Agenda:

Commissioner Neer made the motion to approve the agenda as submitted; seconded by Commissioner Macsay. All in favor: Unanimous.

3. Correspondence:

None to report.

4. Approval of Minutes:

Commissioner Macsay made the motion to approve the minutes of January 13, 2009 as submitted; seconded by Commissioner Bradshaw. All in favor: Commissioners Dederick, Macsay, Bradshaw and Schreiber; Abstain: Commissioner Neer.

Commissioner Bradshaw noted that in previous minutes he has been mentioned as an Alternate Member, which he is not.

5. Public Comment: Members of the public may address the Commission on matters under its jurisdiction that are not on the agenda. The Commission may limit the public comment to three minutes. The Commission may not render any decisions other than those items that are contained on the agenda; the public may request an item to be placed on a subsequent agenda.

None.

6. Discussion and review of proposed amendments regarding LAFCO's adopted policies and set public hearing for April 14, 2009 (next regular LAFCO meeting). The Commission previously reviewed Chapters 3 through 7 at the January 13th 2009 LAFCO meeting:

a. Review Chapters 1 and 2:

John Benoit reviewed the proposed changes for each chapter, which were included in the staff packet, changes being noted in bold lettering.

Chapter 1 - Purpose, Jurisdiction, Authority and Composition:

1.1. Explains the purpose of policies, six main objectives

1.2. Most of the recommendations made in "Growth Within Bounds" were included in the Cortese Knox Hertzberg Act

1.3.e. requirement to “promote environmental justice” was added to LAFCO law, which basically means LAFCO must ensure fair treatment of all races, cultures and income levels to the best of its ability; g. LAFCO has limited authority to initiate proposals, process must be gone through - service review, action, voter decision

1.4. LAFCO Composition and Legislative Charge: explains what LAFCO is; this section is more for those who might be applying than for the Commission; a. and b. LAFCO is an independent agency, separate from City and County; c. Modoc does not have special district representatives, there has been no interest; d. although Commissioners are appointed by the City and County, their responsibility is to the public as a whole rather than the appointing agency; it is not an automatic conflict of interest for a Commissioner to vote on issues affecting their appointing agency; e. Commission is comprised of: 2 City members, one alternate; 2 County members, one alternate; 1 Public member, *one alternate*

Chapter 2 - LAFCO General Policies and Standards:

2.2 urban development is defined here

2.4 this section becomes important if the City or County forgets to send the ER to LAFCO; this is basically right from CEQA; LAFCO must review and comment on projects, comments must be incorporated before approval by City or County

2.8 the service capacity of the area land is being taken from must be taken into account

Pages 10 and 11 were missing from the packets; the most important policy covered on those pages was that all information submitted must be independently verified.

2.14 near- and long-term spheres become important when dealing with Ag and Open Space; the near-term sphere does not have to be 5 years, that is just an example

2.15 the need for services must be determined when the application is submitted; c. near-term urbanization deals with city growth or the annex of developed County areas (1-10 years)

b. Waive reading of the Policy Amendments, refer amendments to the City and County and interested Special Districts:

John is referring the amendments to the City today so a hearing can be held in April.

c. Set public hearing for April 14, 2009

7. General Discussion of Fire and EMS Service Issues in Modoc County *(this item is placed on the agenda to discuss any issues associated with fire and EMS services to be addressed in the upcoming MSR)*

John Benoit: there are a lot of district within the County and volunteers are hard to find, are there any other issues he needs to be aware of, such as money or the training requirements?

Commissioner Dederick: the ambulance also serves a portion of Lassen County

Commissioner Macsay: the hospitals handle EMS

Commissioner Schreiber: is there a movement within Calfire to do away with districts and take over? He would not be in favor of it; would want to protest such a move

John Benoit: normally the district requests for Calfire to take over; last year they lowered the price for it

Commissioner Bradshaw: there is no movement to do that

Commissioner Macsay: there is an agreement between BLM and Calfire that allows BLM to cover for Calfire in Surprise Valley in cooperation with the Forest Service; both agencies respond to all fires

Commissioner Dederick: Devil's Garden Conservation Camp has 5 crews

John Benoit: structure fire is up to local districts?

Commissioner Bradshaw: as long as they (Calfire) are manned, they will help

Commissioner Macsay: Forest Service will respond; BLM won't (for structures)

John Benoit: so the burden of EMS is not on fire districts; locations: BLM - Alturas, Forest Service - Alturas, Calfire - Susanville

8. Review and Authorize Payment of Claims:

a. Authorize Payment of Claims for January 2009

Commissioner Dederick: almost done with Kenny on hospital issue?

John Benoit: hope so, should be the last bill for that

Commissioner Macsay made the motion to authorize payment of claims for January 2009; seconded by Commissioner Neer. All in favor: Unanimous.

9. LAFCO 101 - informal discussion *(this item is being placed on the agenda since there are four Commissioners and (or) alternates on LAFCO that have not yet served one year)*

John Benoit showed a Power Point presentation; copies of all slides are included in the staff report; did not have time to go through Part Two: MSR and SOI Updates.

10. Executive Officer's Monthly Report - General Discussion:

John Benoit would like to have a workshop in April on the Alturas MSR.

700 Forms are due in April - turn in to the County Clerk or City, John will check on them there.

The budget process begins again in April; if necessary, a separate committee can be formed to do the bulk of the work on this.

11. Commissioner Reports - Discussion:

Commissioner Schreiber: attended a meeting about the hospital district and was told that the district only has until November to complete the process or they will have to start from the beginning again; is that true? can LAFCO exempt that?

John Benoit: They can ask for an extension of time; it can be granted by LAFCO.

The next meeting will be held April 14, 2009 at 5:00 pm.

There being no further business to come before this Commission, the meeting was adjourned at 6:28 pm.